

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ROBERT ISAACKS

VS.

HSC FREIGHT, INC. AND
RONALD RATNESH PRASAD

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§
§

CASE NO. _____

NOTICE OF REMOVAL

Defendant, HSC FREIGHT, INC., hereby removes Cause No. 2021-66179 from the 334th Judicial District Court of Harris County, Texas to the United States District Court for the Southern District of Texas.

Background

1. On October 11, 2021, Plaintiff, Robert Isaacks ("Plaintiff"), filed a Petition in the 334th Judicial District Court of Harris County, Texas against HSC Freight, Inc. and Ronald Ratnesh Prasad, in Cause No. 2021-66179 (The "State Court Action"). A copy of the Petition is included within the Appendix.

2. HSC Freight, Inc., was served via the Texas Secretary of State on October 15, 2021, which citation was forwarded by the Texas Secretary of State on October 21, 2021.

3. Ronald Ratnesh Prasad has not been served in this action.

4. The Petition purports to assert two causes of action including: negligence and negligent entrustment. See Petition at 3.

5. Plaintiff seeks relief for the following damages: (1) past and future physical pain and suffering; (2) past and future mental anguish; (3) past and future physical impairment; (4) past lost wages; (5) future loss of earning capacity; (6) past and future

reasonable and necessary medical expenses; (7) all actual damages allowed under the law; and (8) such other relief as the Court may deem just and proper. See Petition at 4-5.

Diversity Jurisdiction Under 28 U.S.C. § 1332(a)

6. This Court has jurisdiction over this matter under 28 U.S.C. § 1332(a) because there is complete diversity of citizenship between Plaintiff and Defendants and more than \$75,000, exclusive of interest and costs, is at stake.

7. Plaintiff, Robert Isaacks, alleges that he is a resident of Harris County, Texas. See Petition at 1.

8. Defendant, HSC Freight, Inc. is a Foreign For Profit Corporation located at 645 Dody Dr., Manteca, California 95337. See Petition at 1. Therefore, there is complete diversity between Plaintiff and all Defendants in this action.

9. Defendant, Ronald Ratnesh Prasad, is an individual who resides at 313 Lake Head Lane, Modesto, California 95354. See Petition at 2. Therefore, there is complete diversity between Plaintiff and all Defendants in this action.

10. Plaintiff indicates he seeks monetary relief over \$1,000,000. See Petition at 1. Therefore, it is apparent that the amount in controversy in this action exceeds the jurisdictional sum of \$75,000.00. 28 U.S.C. § 1332(a).

All Procedural Requirements for Removal Have Been Satisfied

11. Pursuant 28 U.S.C. § 1446(a) and Local Rule 81, a true and correct copy of all process, pleadings, and orders from the State Court Action which have been served upon Defendants are being filed with this Notice of Removal in the Appendix.

12. The Notice of Removal has been filed within 30 days of the date that Defendant were served and/or received the citation and Petition in this matter. Removal is therefore timely in accordance with 28 U.S.C. § 1446(b).

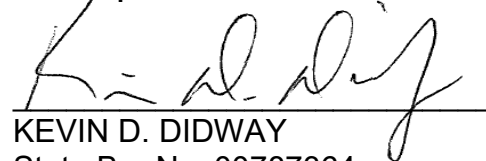
13. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1441(a) and 1446(a) because the U.S. District Court for the Southern District of Texas is the federal judicial district embracing the District Court of Harris County, Texas where the State Court Action was originally filed.

Conclusion

By this Notice of Removal, Defendant does not waive any objections it may have as to service, jurisdiction or venue, or any other defenses or objections it may have to this action. Defendant intends no admission of fact, law, or liability by this Notice, and expressly reserves all defenses, motions, and/or pleas.

Respectfully submitted,

HOLM | BAMBACE LLP

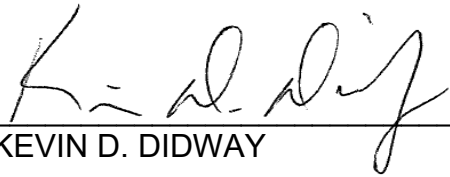


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**ATTORNEYS FOR DEFENDANT,
HSC FREIGHT, INC**

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the above and foregoing document has been forwarded to all counsel of record by e-mail, regular mail, certified mail, return receipt requested, Facsimile, and/or by hand-delivery this the 15th day of November, 2021.



KEVIN D. DIDWAY